

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUKUND MOHAN,

Defendant.

CASE NO. CR21-0041-JCC

ORDER

This matter comes before the Court on the Government's unopposed Motion for Entry of a Preliminary Order of Forfeiture (Dkt. No. 49) seeking to forfeit, to the United States, Defendant Mukund Mohan's interest in the following property (the "Subject Property"):

1. \$4,500 in U.S. funds seized on July 23, 2020 from the Azlo account ending in 0798 held in the name of Vangal, Inc.;
2. \$73,262.38 in U.S. funds seized on July 23, 2020 from the Azlo account ending in 3419 held in the name of Zigantic, LLC;
3. \$129,295.46 in U.S. funds seized on July 30, 2020 from the Bank of America account ending in 6319 held in the name of Zuput, Inc.;
4. \$394,000 in U.S. funds seized on July 24, 2020 from the Chase Bank account ending in 8877 held in the name of Expect Success, Inc.;

- 1 5. \$431,250 in U.S. funds seized on July 24, 2020 from the Chase Bank account ending
2 in 9159 held in the name of Mahenjo, Inc.;
- 3 6. \$506,277 in U.S. funds seized on July 24, 2020 from the Chase Bank account ending
4 in 9773 held in the name of Gitgrow, Inc.; and
- 5 7. \$231,471 in U.S. funds seized on July 23, 2020 from the Robinhood account ending
6 in 4609, held in the name of Mukund Mohan.

7 The Court, having reviewed the Government's motion, as well as the other papers and
8 pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of Forfeiture is
9 appropriate because:

- 10 • The proceeds of *Wire Fraud*, in violation of 18 U.S.C. § 1343, are forfeitable
11 pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c);
- 12 • Property involved in *Money Laundering*, in violation of 18 U.S.C. § 1957, are
13 forfeitable pursuant to 18 U.S.C. § 982(a)(1);
- 14 • Pursuant to the Plea Agreement he entered on March 15, 2021, Defendant agreed
15 to forfeit the Subject Property pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28
16 U.S.C. § 2461(c), and 18 U.S.C. § 982(a)(1). (Dkt. No. 41 ¶ 13.)

17 Accordingly, the Court ORDERS as follows:

18 1) Pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), 18 U.S.C.
19 § 982(a)(1), and Defendant's plea agreement, Defendant's interest in the Subject Property is
20 fully and finally forfeited, in its entirety, to the United States;

21 2) Pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A)–(B), this Preliminary
22 Order will be final as to Defendant at the time he is sentenced, it will be made part of the
23 sentence, and it will be included in the judgment;

24 3) The U.S. Department of Treasury, the Internal Revenue Service, and/or its authorized
25 agents or representatives shall maintain the Subject Property in its custody and control until
26 further order of this Court;

1 4) Pursuant to Federal Rule of Criminal Procedure 32.2(b)(6) and 21 U.S.C. § 853(n), the
2 United States shall publish notice of this Preliminary Order and its intent to dispose of the
3 Subject Property as permitted by governing law. The notice shall be posted on an official
4 government website—currently www.forfeiture.gov—for at least thirty (30) days. For any
5 person known to have alleged an interest in the Subject Property, the United States shall, to the
6 extent possible, provide direct written notice to that person. The notice shall state that any
7 person, other than Defendant, who has or claims a legal interest in the Subject Property must file
8 a petition with the Court within sixty (60) days of the first day of publication of the notice (which
9 is thirty (30) days from the last day of publication), or within thirty (30) days of receipt of direct
10 written notice, whichever is earlier. The notice shall advise all interested persons that the
11 petition:

- 12 a. shall be for a hearing to adjudicate the validity of the petitioner’s alleged interest
13 in the property;
- 14 b. shall be signed by the petitioner under penalty of perjury; and,
- 15 c. shall set forth the nature and extent of the petitioner’s right, title, or interest in the
16 property, as well as any facts supporting the petitioner’s claim and the specific
17 relief sought.
- 18 d. If no third-party petition is filed within the allowable time period, the
19 United States shall have clear title to the Subject Property, and this Preliminary
20 Order shall become the Final Order of Forfeiture as provided by Federal Rule of
21 Criminal Procedure 32.2(c)(2);

22 5) If no third-party petition is filed within the allowable time period, the United States shall
23 have clear title to the Subject Property, and this Preliminary Order shall become the Final Order
24 of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

25 6) If a third-party petition is filed, upon a showing that discovery is necessary to resolve
26 factual issues it presents, discovery may be conducted in accordance with the Federal Rules of

1 Civil Procedure before any hearing on the petition is held. Following adjudication of any third-
2 party petitions, the Court will enter a Final Order of Forfeiture, pursuant to Federal Rule of
3 Criminal Procedure 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that adjudication; and,

4 7) The Court will retain jurisdiction for the purpose of enforcing this Preliminary Order,
5 adjudicating any third-party petitions, entering a Final Order of Forfeiture, and amending the
6 Preliminary Order or Final Order as necessary pursuant to Federal Rule of Criminal Procedure
7 32.2(e).

8 DATED this 16th day of July 2021.

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12 John C. Coughenour
13 UNITED STATES DISTRICT JUDGE
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